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REMARKS

Entry of this Amendment and reconsideration are respectfully requested in view of the amendments made to the claims and for the remarks made herein.

Claims 1-29 are pending and stand rejected. Claims 1, 5, 6, 12, 13, 14, 15, 17, 19, 23, and 29 have been amended. Claim 2 has been cancelled.

Claims 12 and 29 stand rejected under 35 USC 112, second paragraph as being indefinite in that the term "reasonable" is subjective.

Applicant thanks the Examiner for his observation and has amended the aforementioned claims to remove the objected-to claim term.

For at least this reason, applicant submits the rejection of the claims has been overcome and respectfully requests the rejection be withdrawn.

Claims 1-29 stand rejected under 35 USC 102(e) as being anticipated by Berenson (USPP no. 2003/0131355).

Applicant respectfully disagrees with and explicitly traverses the reason for rejecting the claims. However, in the interest of the advancing the prosecution of this matter the independent claims have been amended to more clearly state the invention. More specifically, the claims have been amended to recite that the rows of the table are sorted in accordance with a specific source and the columns sorted in accordance with next program of each source and that the selected data is presented in accordance with an additional code determined for each program. No new matter has been added.

Support for the amendments may be found at least in claim 2, which has been cancelled, and claim 5.

Although claims 2 and 5 were rejected in view of the Berenson reference, it will be shown that the claims, as amended, are not anticipated by Berenson.

Bersenson discloses a method and system for creating program grids displaying programs with time as one axis and program preference along the other. Program preference information is used to create the grid. Algorithms are used to determine the best placement of programs into the grid. (see Abstract). Bersenson discloses in figure 7,

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which is referred to in the Office Action, with regard to rejecting claim 5 (see page 4, instant OA), a grid presentation with time on one axis and programs categorized based on the user preference information in the other axis. As shown in figure 7, the category 1 programs are shown from different sources (Nick, UPN, ABC, NBC) as a function of time. Similarly, category 2 programs are selected from sources FX, NBC, Fox, and WB as a function of time. Similar presentation of dissimilar program sources in the rows of the grid are shown with regard to categories 3-6. This is also shown in figures 8 and 9.

Accordingly, Bersenson fails to disclose the claim element "with rows sorted in accordance with a specific source and columns sorted in accordance with next program of each source," as Bersenson discloses a grid based on user preferences wherein that program best satisfying the user criteria is displayed in the row independent of the source of the program.

Bersenson further fails to disclose determining a code for each program and that the presentation is further based on the determined code. Rather Bersenson discloses that the programs are presented on a time basis.

It is well recognized that to constitute a rejection pursuant to 35 USC §102, i.e., anticipation, all material elements recited in a claim must be found in one unit of prior art.

Bersenson cannot be said to anticipate the present invention, because Bersenson fails to disclose each and every element recited.

At least for this reason, applicant submits that the rejection of the claim has been overcome and can no longer be sustained. Applicant respectfully requests withdrawal of the rejection and allowance of the claim.

With regard to the remaining independent claims, these claims recite subject matter similar to that recited in claim 1 and were rejected for the same reason used in rejecting claim 1. Thus, for the amendments made to these claims, which are similar to the amendments made to claim 1 and for the remarks made in response to the rejection of claim 1, which are also applicable in response to the reject of the claims, and reasserted, as if in full, herein, applicant submits that the reason for rejecting these claims have been overcome. Applicant respectfully requests withdrawal of the rejection and allowance of the claims.

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With regard the remaining claims these claims ultimately depend from the independent claims, which have been shown to contain subject matter not disclosed by, and, hence, allowable over, the reference cited. Accordingly, these claims are also allowable by virtue of their dependency from an allowable base claim.

Accordingly, applicant respectfully requests withdrawal of the rejection and allowance of the claims.

For all the foregoing reasons, it is respectfully submitted that all the present claims are patentable in view of the cited references. A Notice of Allowance is respectfully requested.

Respectfully submitted,

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